

**ASSEMBLY, No. 4164**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED MAY 28, 2020

**Sponsored by:**

**Assemblyman GERARD SCHARFENBERGER**

**District 13 (Monmouth)**

**Assemblywoman AURA K. DUNN**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Suspends running of timeframes for county planning board action during state of emergency.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/1/2020)**

1 AN ACT concerning timeframes for county planning board action  
2 during state of emergency and supplementing P.L.1968, c.285  
3 (C.40:27-6.1 et seq.).  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
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8 1. a. Notwithstanding any provision of P.L.1968, c.285  
9 (C.40:27-6.1 et seq.) to the contrary, periods of time set forth for  
10 county planning board review and approval of subdivisions and site  
11 plans, and periods of time for rendering a decision on the appeal of  
12 an action taken by a county planning board, or by a planning  
13 director and a committee of the board, shall be suspended and not  
14 run while a state of emergency is in effect, and until 60 days after  
15 the conclusion of the state of emergency. During such time, no  
16 application submitted to a county planning board shall be deemed  
17 approved due to the inaction of the county planning board.

18 b. As used in this section:

19 "State of emergency" means a state of emergency declared by  
20 the President of the United States, a state of emergency declared by  
21 the Governor of this State pursuant to P.L.1942, c.251 (C.App.A.9-  
22 33 et seq.), or a public health emergency declared by the Governor  
23 of this State pursuant to the "Emergency Health Powers Act,"  
24 P.L.2005, c.222 (C.26:13-1 et seq.).  
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26 2. This act shall take effect immediately.  
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## 29 STATEMENT

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31 This bill would suspend, because of a state of emergency,  
32 provisions of law that require county planning boards to act within  
33 specific timeframes, in order to prevent automatic approvals from  
34 occurring. The suspension would be triggered by the declaration of  
35 a state of emergency, and would continue for a 60 day period  
36 following a state of emergency. The bill provides that statutory  
37 timeframes for county planning board action will not run while a  
38 state of emergency declared by the President of the United States or  
39 a state of emergency declared by the Governor of this State is in  
40 effect, and for 60 days thereafter. Under the bill, a state of  
41 emergency declared by the Governor would include a public health  
42 emergency declared under the "Emergency Health Powers Act,"  
43 P.L.2005, c.222 (C.26:13-1 et seq.), and a state of emergency  
44 declared pursuant to P.L.1942, c.251 (C.App.A.9-33 et seq.).